

RECEIVED CENTRAL FAX CENTER JUN 2 7 2007

## FAX COVER PAGE

June 27, 2007 DATE:

PAGES INCLUDING THIS PAGE: 14

TO: Examiner Pedro Philogene, Group Art Unit 3733

FAX NUMBER: 571-273-8300

COMPANY: U.S. Patent and Trademark Office

PHONE NUMBER:

FROM: Douglas A. Collier

**DIRECT DIAL: (317) 238-6333** 

FAX NUMBER: (317) 636-1507

RE: Response to Office Action for U.S. Patent Application No. 10/645,457 to Aurelian Bruneau et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

June 27, 2007

(Date of Transmission)

Douglas A. Collier

Name of Registered Representative

Signature

Hard copy will be sent via: Regular Mail

Overnight Courier

Fax Communication Only

Name of Sender:

Cheryl Kalugyer

Client Matter No.:

333 MSDI-1

WARNING CONFIDENTIALITY NOTICE The documents constituting this fax transmittal contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual(s) or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance upon the content of this fax transmittal is strictly prohibited. If you have received this fax transmittal in error, please immediately notify us by telephone at the number below to arrange for return of the original documents to us. Thank you.

For Questions or Problems in Transmission, Please Contact our Fax Operators

KRIEG DEVAULT LLP

ONE INDIANA SQUARE

SUITE 2800 INDIANAPOUS, IN 46204 TELEPHONE-(317) 636-

4341

FAX-(317) 636-1507

KRIEG DEVAULT LLP

12800 N MERIDIAN STREET **SUITE 300** 

**CARMEL, IN 46032** TELEPHONE-(317) 566-

1110

FAX-(317) 636-1507

KRIEG DEVAULT GALVIN

LLP

5231 HOHMAN STREET **HAMMOND, IN 46320** TELEPHONE-(219) 933-

0380 FAX-{219} 933-0471

KRIEG DEVAULT LUNDY

LLP

825 ANTHONY WAYNE

BUILDING

203 EAST BERRY STREET FT. WAYNE, IN 46802 TELEPHONE-(260) 422-

1534

FAX-(260) 423-1590

KD\_IM-1036736\_1.DOC

	U.S. F	Dotant and Trador	oved for use thr nark Office; U.S	DEPARTMENT	OF COM	されて
Under the Paparwork Reduction Act of 1995.	no persons are required to respond to a col Application Number	10/645,457	<u>ion unless it dis</u>	plays a valid Civi	EIVE	Indiana.
TOANICANTTAI	Filing Date	August 21, 200	3	CENTRAL		
TRANSMITTAL	First Named Inventor	Aurelian Brune		0211111110		
FORM	Art Unit	3733		JUN	7 2	007
•	Examiner Name	Pedro Philoger	8			
(to be used for all correspondence after initial t	I Affornav Docket Nulfiber	MSDI-266/PC7	71.00			
Total Number of Pages in This Submission	13					
	ENCLOSURES (Check al	I that apply)			uninatio.	a to TC
Fee Transmittal Form  Fee Attached  Amendment/Reply  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Reply to Missing Parts/ Incomplete Application  Reply to Missing Parts  under 37 CFR 1.52 or 1.53	Drawing(s)  Licensing-related Papers  Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Terminal Disclaimer Request for Refund  CD, Number of CD(s)  Landscape Table on Correspondence  Remarks	Address	Appeal of Appeal (Appeal (Appeal Propriet	inclosure(s) (pk	to Boar ences to TC ply Brief	rd
SIGNA	TURE OF APPLICANT, ATT	ORNEY, OR	AGENT			
Firm Name						
Krieg DeVault LLP	-011	<u></u>				
Signature Lauran (.	Celles					
Printed name Douglas A. Collier						
Date June 27, 2007		Reg. No.	3,556			
June 27, 2007						
I hereby certify that this correspondence is sufficient postage as first class mail in an e	DERTIFICATE OF TRANSMIS  being facsimile transmitted to the USF invelope addressed to: Commissioner	PTO or deposite	d with the Un	ited States Pos Nexandria, VA	tal Servi 22313-1	ice with 450 on
I hereby certify that this correspondence is sufficient postage as first class mail in an eithe date shown below:	hains facelmile transmitted to the LISE	PTO or deposite	d with the Un	ited States Pos Nexandria, VA	tal Servi 22313-1	ice with 450 on

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## RECEIVED CENTRAL FAX CENTER

JUN 2 7 2007

Doc.1029719

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Aurelian Bruneau et al.	) Before the Examiner: ) Pedro Philogene
Application Serial No. 10/645,457	) Group Art Unit: ) 3733
Filed: August 21, 2003	) Attorney Ref. No.:
SYSTEMS AND METHODS FOR POSITIONING IMPLANTS RELATIVE TO BONE ANCHORS IN SURGICAL	) MSDI-266/PC771.00 ) June 27, 2007
ADDROACHES TO THE SPINE	)

## RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated March 28, 2007, please enter and consider the following remarks. No fees or extensions of time are believed due for consideration of this response. However, please provide any extensions of time necessary and charge any fees which may be due to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

June 27, 2007

Date of Transmission

Douglas A. Collier

of Registered Representative

Signature

June 27, 2007
Date of Signature

Response to Non-Final Office Action Application Serial No. 10/645,457 Page 1 of 12